
APPENDIX

SUMMARY OF PAST AND ONGOING EFFORTS TO ENSURE THE OPTIMAL UTILIZATION OF JUDICIAL RESOURCES

The following provides brief examples of past and ongoing efforts to reduce spending and improve resource use. A number of these items are discussed in the body of this report.

Judicial Resources and Court Staff

- A new study is underway to explore ways and means of managing available judicial officer resources in a manner that might reduce the need for some additional judgeships.
- The work measurement formulas that determine court staffing requirements are undergoing comprehensive review with a June 2000 expected completion date.
- Thirty-nine retired bankruptcy and magistrate judges currently recalled to service are an alternative to creating new positions that saves the government about \$13 million annually.
- More conservative criteria adopted in 1994 for evaluating new district judgeship requests results in approval of fewer requests, saving millions annually.
- A revised grade structure for career law clerks saves more than \$3 million annually.

- Adjustments made to the district clerks' staffing formula to reflect reductions associated with the processing of naturalization petitions saves about \$1 million annually.
- A full-time magistrate judge position discontinued in the Eastern District of Michigan saves over \$500,000 annually.
- Numerous policies and processes have been implemented to ensure that staff and judicial officer resources are distributed equitably and used efficiently (e.g., court staffing formulas, formal and regular surveys of judgeship needs, use of temporary judgeship positions, senior judges, shared judgeship positions, and intercircuit and intracircuit judicial assignments).
- A revised court personnel system was implemented to decentralize personnel authority to the courts and improve the ability of court managers to maximize use of scarce personnel resources.
- An automated magistrate judges statistical system is being implemented that results in administrative efficiencies through streamlined reporting processes.
- Information provided to courts on the initial and recurring costs of an additional magistrate judge position facilitates consideration of the financial impact of new positions and conservatism in submitting requests.
- The ongoing Judiciary Methods Analysis Program identifies suggested business practices with the potential to result in more efficient and effective operations and fosters implementation of these practices in the courts.
- Contractors are used in lieu of in-house Judiciary employees where cost effective and appropriate.
- A study of how courts can create alternative organizational structures to provide administrative services more efficiently was completed by an outside contractor and disseminated nationwide for court managers' consideration.

Automation and Technology

- Digital audio technology is being assessed to determine its usefulness and cost-effectiveness in taking the court record.

- A study is in progress to explore the potential to reduce time spent on information requests and paper/postage costs through electronic document imaging.
- A new modernization project will provide statistical information that will improve staff productivity, data quality, and timeliness involved in collecting and processing data.
- A new state-of-the-market computer system in the Judiciary Data Center is saving over \$1 million over the next five years in maintenance and software licensing costs.
- Two new network-based on-line communications systems for magistrate judges help magistrate judges communicate efficiently and cost effectively with each other and the AO on topics of importance to the Judiciary.
- An in-house television broadcast studio was built and satellite downlinks are being installed in about 250 court locations to deliver more cost-effectively a variety of education and training programs.
- Use of the Bankruptcy Noticing Center has saved the Judiciary over \$11 million from fiscal year 1993 through 1998, and a new contract awarded in 1998 for operating the center is providing expanded services at reduced costs.
- A new electronic bankruptcy noticing system is being implemented that will reduce the production and handling of paper notices by the courts and creditors and has the potential to save millions annually.
- Use of Internet and intranet technologies to distribute Judiciary publications, statistics, and other information will result in future savings of about \$1 million annually in paper and postage costs.
- A telephone interpreting program, now being expanded, saves travel costs and interpreting time.
- A new accounting system will produce significant administrative efficiencies and provide better tools to enhance financial decision-making.
- An automated juror management system will be implemented to reduce juror processing time, manage more efficiently labor-intensive functions, and reduce contracting costs.

- Videoconferencing systems being installed in appellate, district, and bankruptcy courts may produce savings in travel, create efficiencies in court scheduling, and enhance security when used in prisoner cases.
- Video and computer-based training is being used, enhanced, and explored for future potential as a way to conduct training and meetings more cost effectively.
- Ongoing experiments with electronic filing have the potential to eliminate repetitive, time-consuming manual tasks involved in docketing and to produce savings in the storage and movement of case files.
- The widely used electronic public access systems are being explored for future potential to save additional court staff resources in responding to public needs for information and to provide more direct, rapid, and easier access to official court records.
- An effort is in progress to provide courtrooms with technologies including videoconferencing and video evidence presentation systems.
- Standardization of the Judiciary's network and desktop software saves over \$2 million annually in software licenses.
- Use of group decision support systems software reduces the time and expense of planning, conducting, and documenting meetings.
- A Judiciary-wide information systems architecture implemented to promote interoperability of many applications on shared or compatible platforms saves systems development, maintenance, support, and equipment costs.
- Enhancements made to district court case management software save on-line storage costs and production time.
- An automated system developed to produce semiannual reports required by the Civil Justice Reform Act saves Judiciary staff resources through more efficient data collection and reporting.
- Enhancements made to automated case management systems (including electronic case file capabilities) will facilitate speedy resolution of pending cases by providing critical information needed to manage caseload.

- The Data Communications Network has been implemented, reducing by an average of 15 percent local telephone costs at each installation site through shared modems, telephone lines, and national software licenses.

Security, Space, and Facilities

- A comprehensive effort is underway to upgrade the professional status of the Judiciary's procurement personnel.
- A comprehensive study by an outside contractor will be conducted to assess the potential for additional efficiencies in the space and facilities program.
- A comprehensive space management plan continues to be implemented. Results to date include
 - ◆ 684,345 square feet of existing and planned space was released, saving over \$13.5 million annually in rent costs, which includes closure of 11 facilities without resident judicial officers.
 - ◆ A process was implemented whereby all judicial councils must evaluate biennially all space assignments to determine whether any can be released or used more efficiently.
 - ◆ Revisions were made to the *United States Courts Design Guide* that achieve a 5 percent reduction in GSA construction costs in an average size building.
 - ◆ All circuit judicial councils established policies on courtroom sharing for active and senior judges.
 - ◆ Criteria were developed for determining the need for facilities without resident judicial officers.
 - ◆ Space use rates by court unit type were developed as a tool for evaluating requests for new space acquisition.
 - ◆ Space acquisition guidelines were established to enable court units to evaluate critical space requests based on the cost impact, current space utilization rates, the ability to reconfigure space to satisfy the need, and the timing of new construction or major alteration projects.

- ♦ A policy was adopted encouraging courts to explore shared court facility arrangements with state and local governments.
- A staffing methodology, developed by the U.S. Marshals Service for allocating court security officers, avoided \$12.5 million in FY 1996 court security funding increases and limits subsequent year requests.
- A team of Judiciary and U.S. Marshals staff was established to conduct monthly reviews on the execution of the court security budget.
- A security system acquisition plan was developed to improve the tracking of security system requirements, inventory, and funding.
- A report that crosswalks court security officer requirements by district and facility (including planned occupancy dates for new courthouses) was developed to support annual funding requests for court security officers.

Defender Services

- The Judiciary is pursuing implementation of savings recommendations developed from the January 1998 congressional report on defender services costs.
- A study is ongoing on the cost of providing representation in federal capital habeas corpus cases, including a comprehensive statistical analysis of private panel attorney costs and a review of these costs by district, state, and circuit.
- Recommendations to reduce the cost and improve the quality of defense representation in federal death penalty cases as part of a recent year-long study are being incorporated into the *Guidelines for the Administration of the Criminal Justice Act*.
- Four district courts are exploring the benefits of using a supervising attorney to assist in reviewing payment claims submitted by attorneys and other service providers.
- A new effort is underway to develop a comprehensive performance measurement system for the defender services program.

- Rigorous financial and statistical reporting requirements for federal defender organizations capture more accurate data and result in more effective resource management.
- A procedure linking federal defender organization budget and staffing requests to caseload per attorney projections improves resource management.
- Federal defender organizations are required to secure AO approval for furniture or equipment purchases in excess of \$500, computer programs in excess of \$1,000, and tenant alterations costing more than \$5,000.
- AO approval is required for federal defender case-related travel outside the 48 contiguous states and for all administrative out-of-district travel.
- Federal defender organization training expenditures are subject to annual limits.
- The establishment of new federal defender organizations in five judicial districts will improve the quality and efficiency of representation.
- Reviews and assessments of federal defender organizations' operations are routinely conducted to identify ways to improve their effectiveness and efficiency.
- Various management initiatives continue to be implemented to contain capital habeas corpus costs, such as improved procedures for voucher review, training enhancements, and case-budgeting.
- Seven circuits have adopted special procedures to review costs in any federal capital habeas corpus case in which total attorney compensation expenditures exceed \$100,000.
- An improved information management system is being developed to increase the type, quality, and consistency of data collected on defender organizations and panel attorneys.
- Legislation allowing private panel attorney use of government travel rates continues to generate significant savings.
- A requirement that all private panel attorneys affirm under penalty of perjury that compensation claimed is for hours actually expended in connection with the representation helps ensure voucher integrity.

Probation and Pretrial Services

- A comprehensive study of the probation and pretrial services program is underway to identify strategic issues and make recommendations for the future direction of the program.
- The home confinement program, which monitors electronically about 3,700 individuals in their homes on a daily basis, saves the government between \$32 million and \$69 million annually.
- Reimbursements collected from offenders for the costs of electronic monitoring services totaled \$1.2 million in FY 1998 and similar savings are anticipated in FY 1999.
- A policy implemented to detect illicit drug use by using on-the-spot drug testing devices rather than sending specimens to the national laboratory saves about \$200,000 annually.
- Providing training on the witness security program using computer-based rather than traditional training methods will save more than \$200,000 over five years.
- Mobile computing capabilities are being provided to probation and pretrial services officers following a study showing that the technology allows officers to work more efficiently.

Other Areas

Libraries and Lawbooks

- Implementation of revised policies for lawbook purchases contributed to savings and cost avoidances of about \$20 million during fiscal years 1996 through 1998.
- Implementation of new contracts and policies on the use of computer-assisted legal research has produced savings and cost avoidances of about \$10 million in fiscal years 1996 through 1998.
- Integrated library system software was implemented, providing enhanced

management and reporting tools to circuit libraries and, eventually, enhancing library services to judges and other library users.

- Guidelines to help determine the appropriate space required for satellite library lawbook collections were approved as part of the effort to control rent costs.
- A new lawbook allotment process was implemented as part of the plan to simplify and provide an equitable formula for allotting funds to each circuit.

Resource Management Policies and Processes

- A new emphasis on long range planning and budgeting will improve the Judiciary's ability to determine priorities, develop program plans, and determine resource requirements.
- A procedure implemented to increase the timeliness of investing newly appropriated funds from the Judiciary's annuity plans to U.S. Treasury Securities earns about \$125,000 in additional interest annually.
- The Cost Control Monitoring System implemented for allotting salary dollars to courts increases managers' flexibility to use limited resources and simplifies the process of distributing funding.
- A newly implemented system of allotting non-personnel funding to the courts makes the process more efficient and increases court managers' flexibility in managing spending plans.
- A variety of routinely conducted audits and evaluations of Judiciary programs such as financial audits, court program unit reviews, and automation reviews, help ensure resources are used effectively and efficiently.
- A series of evaluations of the Judiciary's administrative and program review activities helps ensure that the reviews are effective and meet appropriate standards.
- Quarterly financial reviews conducted in the AO enhance oversight of program spending and identify funds that can be saved or redirected to meet higher priority needs.
- Quarterly internal management control reviews conducted in the AO improve

management and enhance program success while ensuring that waste, fraud, and abuse in the administration of Judiciary programs are avoided.

- An AO planning and management-by-objectives program drives overall agency goal setting and planning and monitors the agency's progress in accomplishing its objectives.
- Quarterly reviews in the AO of all major automation projects help ensure initiatives remain on track and accomplish established goals.
- An Economy Subcommittee was created to coordinate the Judiciary's efforts to improve fiscal responsibility, accountability, and efficiency in its overall operations.
- The *Long Range Plan for the Federal Courts* was adopted, which provides a framework for establishing funding priorities and addresses the optimal use of the Judiciary's human, financial, physical, and technological resources.
- A new way to develop the annual budget request was adopted, which results in requests being built from a lower base and requires any pending program increases to be reexamined along with new requested increases.

Training

- A comprehensive training needs assessment is being conducted to determine the knowledge, skills, and abilities Judiciary employees need to perform their jobs effectively and to deliver the needed training.
- A new financial management improvement program was initiated, in part, to develop and deliver consistent and cost effective financial management training for Judiciary personnel.
- Employment dispute resolution training and equal employment opportunity training for judges, court unit executives, and other court personnel on resolving complaints at the lowest level possible reduces conflict, which diverts resources and energy away from the fundamental business of the administration of justice.
- A program was developed for training court personnel on policies, procedures, and cost-saving practices in a variety of administrative areas, such as procure-

ment, property management, telecommunications acquisition, and mail management, among others.

All Other

- The AO's advisory processes were revised to speed the information flow to the courts and streamlined to reduce the need to travel to the AO.
- A revised review process implemented to produce quality publications at less cost saves about \$80,000 annually.
- Electronic means being used to transfer data from the courts to AO databases, and for making statistical data and tables available to the courts, the legislative and executive branches, and the public, decreases the costs associated with supplies, postage, and copier usage.
- Competitive procurement for slip opinion printing services in five circuits resulted in contract awards that are expected to reduce fiscal year 1998 spending by \$200,000.

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